

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-07
L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
USIA-06 IO-13 DHA-02 TRSE-00 /074 W
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R 121725Z AUG 77
FM AMEMBASSY BONN
TO SECSTATE WASHDC 0628
INFO USMISSION USBERLIN
USMISSION NATO
AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS

C O N F I D E N T I A L BONN 13238

E.O. 11652: GDS
TAGS: BQG, PGOV
SUBJECT: FRENCH IN BONN GROUP TAKE ISSUE WITH FRG
CONCEPT OF "LAND BERLIN"

REFS: (A) BONN 13155; (B) BONN 13154

1. FRENCH BONN GROUP REP (RICHARD), DRAWING FROM A
CABLE FROM PARIS ON THE HARTKOPF/BAUM REMARKS ON
BERLIN AS A "LAND" OF THE FRG, SAID IN THE AUGUST
10 BONN GROUP MEETING THAT THE BAUM CONCEPT WAS SIMILAR
TO THAT CONTAINED IN AN ARTICLE WRITTEN IN 1971 BY FRG
FOREIGN OFFICE POLITICAL DIRECTOR VAN WELL UNDER
THE PSEUDONYM OF WIELAND DEUTSCH. RICHARD SAID THAT
THE ALLIED RESERVATIONS WITH RESPECT TO THE PROVISIONS
CONCERNING BERLIN IN THE FRG BASIC LAW WERE ESSENTIAL
TO AND THE BASIS FOR THE QUADRIpartite AGREEMENT. HE
CONTINUED THAT THE BAUM VIEW IS THAT OF THE FRG
CONSTITUTIONAL COURT DECISION IN THE NIEKISCH CASE,
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WHICH VIEW WAS REJECTED BY BK/L 67(10) BY ITS STATEMENT
THAT BERLIN IS NOT TO BE REGARDED AS A LAND OF THE FRG
AND IS NOT TO BE GOVERNED BY IT. ALTHOUGH THE FRENCH
ACCEPT THE USE OF "LAND BERLIN" IN TREATIES, THEY DO
NOT AGREE WITH THE STATEMENT THAT BERLIN IS
A LAND OF THE FRG.

2. FRG REP (VON BRAUNMUEHL) RESPONDED BY CITING VAN WELL'S ANSWER TO SOVIET CHARGE TOKOVININ (REF B) WHICH SETS OUT THE FRG POSITION THAT THE RELEVANT PORTIONS OF THE BASIC LAW ARE ONLY "SUSPENDED". HE ALSO SAID THAT BAUM'S STATEMENT CONTAINED SEVERAL REFERENCES TO ALLIED RIGHTS AND RESPONSIBILITIES AND THAT THE SOVIETS QUOTED BAUM'S STATEMENT OUT OF CONTEXT.

3. THE UK REP (EYERS) SAID THAT IT WAS SELF-EVIDENT THAT NEITHER THE FRG NOR THE ALLIES COULD CONVINCE THE OTHER OF THEIR POSITION AND SUGGESTED WE MOVE ON TO THE NEXT ITEM ON THE AGENDA.

4. COMMENT: THE FRENCH PUT DOWN THEIR MARKER, BUT IN A Milder FORM THAN THEY HAVE IN THE RECENT PAST. WE WILL PROBABLY BE TREATED TO A REPLAY WHEN IT COMES TIME TO DRAFT A REPLY TO THE RECENT SOVIET DEMARCHES. STOESEL

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Message Attributes

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Channel Indicators: n/a
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Control Number: n/a
Copy: SINGLE
Sent Date: 12-Aug-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
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Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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